

CALFRESH (CF) PROGRAM

REQUEST FOR POLICY/REGULATION INTERPRETATION

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input checked="" type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 10/8/2015	NEED RESPONSE BY: 10/19/2015
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: Orange / Social Services Agency	
3. PHONE NO.:	7. SUBJECT: Basic Allowance for Subsistence (BAS) in the Military	
4. REGULATION CITE(S): 63-502.149	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s). ACIN I-79-03EII	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

Per ACIN I-79-03EII, Basic Allowance for Housing (BAH) in the military is not excluded as a vendor payment. The Errata further states that per CFR 237.9 (vii) "moneys legally obligated and otherwise payable to the household which are diverted by the provider of the payment to a third party for a household expense shall be counted as earned income and not excluded." FNS considers the BAH legally obligated and otherwise payable to the household. Does this hold true for the Basic Allowance for Subsistence (BAS) allowance? The recipient is questioning the inclusion of BAS in the budget as income. The earnings statement provided includes basic pay, BAS and BAH for a total monthly gross income. Should the BAS be included as part of the household's gross monthly income?

10. REQUESTOR'S PROPOSED ANSWER:

Yes, the BAS shall be included as income in the budget as it is included on the earnings statement as part of the total monthly gross income. Further, as noted above, FNS considers the BAH as legally obligated and otherwise payable to the household. Therefore, the BAS shall be considered in the same manner.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

CDSS concurs with the proposed response.

FOR CDSS USE

DATE RECEIVED:	DATE RESPONDED TO COUNTY/ALJ: A.B. 10/15/2015
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